

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:

DRAIN SERVICES, INC.,

Debtor.

Case No. 23-30352
Chapter 11

**OBJECTION TO CONFIRMATION OF
DEBTOR'S SUBCHAPTER V PLAN OF
REORGANIZATION**

The United States of America, by Mac Schneider, United States Attorney for the District of North Dakota, and Kent Rockstad, Assistant United States Attorney, on behalf of the Internal Revenue Service (IRS), objects to confirmation of Debtor's Subchapter V Plan of Reorganization filed on November 8, 2023 [Doc. 69] (Plan), for the following reasons:

1. The proposed amortization schedule does not provide for/repay interest accruing from the petition date to the effective date. Further, the proposed amortization schedule is monthly, but the payments to the IRS are quarterly. The proposed plan does not accomplish the full repayment of the secured claim held by the IRS. 11 U.S.C. § 1129(a)(9)(C)(1).
2. The IRS requests monthly payments in the form of a check or money order, mailed to the address identified on its proof of claim

Dated: December 7, 2023

MAC SCHNEIDER
United States Attorney

By: /s/ Kent Rockstad
KENT ROCKSTAD
Assistant United States Attorney
ND Bar ID 05434
655 First Avenue North, Suite 250
Fargo, ND 58102-4932
(701) 297-7400
kent.rockstad@usdoj.gov
Attorney for United States

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2023, the Objection to Confirmation of Debtor's Subchapter V Plan of Reorganization was filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to the following:

Michael Gust on behalf of Creditor Meckler Marketing Consulting, LLC
mlgfilings@andersonbottrell.com, jernst@abstlaw.net

Thomas Kapusta
tkapusta@aol.com

Tracy A. Kennedy on behalf of Creditor Choice Financial Group
tracykennedy@northdakotalaw.net, brendadipersio@northdakotalaw.net

Robert B. Raschke
USTPRegion12.SX.ECF@usdoj.gov

John D. Schroeder on behalf of Creditor Choice Financial Group
jschroeder@northdakotalaw.net, karensyrstad@northdakotalaw.net

Caren W. Stanley on behalf of Creditor Tony Hamilton
cstanley@vogellaw.com, jnona@vogellaw.com; sthompson@vogellaw.com;
kjohnson@vogellaw.com

Maurice VerStandig on behalf of Debtor Drain Services Inc.
mac@mbvesq.com, mac@dakotabankruptcy.com;
verstandig.mauricer104982@notify.bestcase.com; verstandiglaw@recap.email

Sarah J. Wencil on behalf of U.S. Trustee Robert B. Raschke
sarah.j.wencil@usdoj.gov



Margo M. Kern, Secretary
Office of the United States Attorney